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 LONE STAR DISTILLERY, LLC DBA  
 GARRISON BROTHERS DISTILLERY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

ALLIED LOMAR, INC.,

Plaintiff,

v.

LONE STAR DISTILLERY, LLC DBA  
 GARRISON BROTHERS DISTILLERY; and  
 DOES 1 THROUGH 10,

Defendants.

Case No.: 3:14-cv-03195-VC

**STIPULATION TO EXTEND TIME TO  
 SUBMIT THE JOINT CASE MANGEMENT  
 STATEMENT, TO CONTINUE CASE  
 MANAGEMENT CONFERENCE; AND  
 [PROPOSED] ORDER AS MODIFIED**

Judge: Hon. Vince Chhabria  
 Courtroom: 4, 17th Floor  
 File Date: July 15, 2014  
 Trial Date: None

**I. RECITALS**

1. On July 15, 2014, plaintiff Allied Lomar, Inc. (hereafter "Allied") filed its complaint.  
 (ECF 1.)

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1           2.       On August 20, 2014, Allied served its complaint upon defendant Lone Star Distillery,  
2 LLC doing business as Garrison Brothers Distillery (hereafter "Lone Star"). (ECF 12.)

3           3.       On September 10, 2014, the parties stipulated to extend the time to October 10, 2014 for  
4 Lone Star to file its responsive pleading to the complaint. (ECF 13 at 2:10-11.)

5           4.       On September 12, 2014, the court issued its order setting a case management  
6 conference for October 14, 2014 at 10:00 a.m. in the above captioned court with the parties' joint case  
7 management statement and proposed order due no later than 7 days before the conference. (ECF 17 at  
8 1:16-24.)

9           5.       On September 16, 2014, the court rescheduled the case management conference to  
10 October 21, 2014 at 10:00 a.m. with the parties' joint case management statement and proposed order  
11 due no later than October 14, 2014. (ECF 19.) The conference was rescheduled due to the extension  
12 of time given to Lone Star to respond to the complaint. (Id.)

13           6.       On September 29, 2014, the parties met and conferred in accordance with Civil Local  
14 rules 16-3 and 16-10, Fed. R. Civ. P. 26(f), and ADR Local Rule 3-5, to prepare the joint case management  
15 conference statement in accordance with Civil Local Rule 16-9 and the Standing Order for all Judges  
16 of the Northern District of California dated August 25, 2014. Jurisdiction is the first matter to be  
17 discussed per the Standing Order for all Judges of the Northern District of California.

18           7.       During this conference, the issue of jurisdiction and venue were discussed and Lone  
19 Star advised that it anticipated it would be filing its motion to dismiss, or in the alternative, to transfer  
20 venue to the United States District Court for the Western District of Texas. Allied Lomar has not seen  
21 Lone Star's motion to dismiss, or in the alternative, to transfer venue or any proposed evidence in  
22 support thereof, and Allied Lomar intends to oppose Lone Star's motion.

23           8.       In light of Lone Star's anticipated motion, and the interest of judicial economy and  
24 efficiency and to preserve the resources of the parties and the judiciary, the parties hereby request leave  
25 to extend time to submit their joint case management statement from October 14, 2014, until three  
26 weeks after the court issues its ruling on the motion of Lone Star to dismiss or, alternatively to transfer  
27 venue. Lone Star stipulates that this extension will not be used as evidence of a lack of irreparable  
28 harm should Allied Lomar file a motion for preliminary injunction. Should the court issue an order

granting Lone Star's motion, the case management conference may become moot thereby obviating the need to submit the joint case management conference statement to this court.

## II. STIPULATION

The parties, by and through their counsel, stipulate that to preserve the resources of the parties and the judiciary the deadline for the submission of the joint case management statement shall be extended from October 14, 2014, until three weeks after the court issues its orders on Lone Star's motion or, alternatively to a date set by the court.

The parties, by and through their counsel, further stipulate to vacate the case management conferment set for October 21, 2014, at 10:00 a.m., and to have it continued to a date set by the court.

DATED: October 8, 2014

GORDON & REES LLP

By: /s/ Robert P. Andris

Robert P. Andris  
Michael D. Kanach  
Attorneys for Plaintiff  
ALLIED LOMAR, INC.

DATED: October 8, 2014

KRONENBERG LAW, P.C.

By: /s/ William S. Kronenberg

William S. Kronenberg  
Steven W. Yuen  
Attorneys for Defendant  
LONE STAR DISTILLERY, LLC DBA  
GARRISON BROTHERS DISTILLERY

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1 **III. ATTESTATION**

2 Per Civil Local Rule 5-1(i)(3), I attest I have obtained the concurrence of the other signatories  
3 in the filing of this document which shall serve in lieu of their signatures on this document.

4 DATED: October 8, 2014

KRONENBERG LAW, P.C.

6 /s/ William S. Kronenberg

7 By: \_\_\_\_\_

William S. Kronenberg

8 Steven W. Yuen

Attorneys for Defendant

9 LONE STAR DISTILLERY, LLC DBA

GARRISON BROTHERS DISTILLERY

10 **IV. ORDER AS MODIFIED**

11 Based on the parties' stipulation, and for good cause appearing,

12 IT IS ORDERED the case management conference set for October 21, 2014, at 10:00 a.m. is  
13 vacated, and will be reset by the court **for a date 12 days after the hearing on Defendant's Motion**  
14 **to Dismiss. The joint case management statement shall be due 7 days prior to the case**  
15 **management conference.**

16 DATE: October 8, 2014

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18 \_\_\_\_\_  
19 Honorable Vince Chhabria  
20 United States District Judge  
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